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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

**ASSOCIATION OF AMERICAN
RAILROADS and AMERICAN SHORT
LINE AND REGIONAL RAILROAD
ASSOCIATION,**

Plaintiffs,

v.

**LAUREN SANCHEZ, in her official
capacity as Chair of the California Air
Resources Board; STEVEN S. CLIFF, in
his official capacity as Executive
Officer of the California Air Resources
Board; and ROB BONTA, in his official
capacity as Attorney General of the
State of California,**

Defendants,

and

**EAST YARD COMMUNITIES FOR
ENVIRONMENTAL JUSTICE, PEOPLE'S
COLLECTIVE FOR ENVIRONMENTAL
JUSTICE, and SIERRA CLUB,**

Case No. 2:23-cv-001154-DJC-JDP

STIPULATION OF DISMISSAL

Judge: Hon. Daniel J. Calabretta
Action Filed: June 16, 2023

Defendant-Intervenors.

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1 Defendants LAUREN SANCHEZ,¹ STEVEN S. CLIFF, and ROB BONTA, in their
2 official capacities (Defendants), Plaintiffs ASSOCIATION OF AMERICAN RAILROADS
3 and AMERICAN SHORT LINE AND REGIONAL RAILROAD ASSOCIATION (Plaintiffs),
4 and Defendant-Intervenors EAST YARD COMMUNITIES FOR ENVIRONMENTAL
5 JUSTICE, PEOPLE'S COLLECTIVE FOR ENVIRONMENTAL JUSTICE, and SIERRA
6 CLUB (Intervenors) (collectively, the "Parties"), hereby submit this stipulation of voluntary
7 dismissal.

8 **RECITALS**

9 WHEREAS, on June 16, 2023, Plaintiffs filed their complaint challenging the
10 California Air Resources Board's (CARB) In-Use Locomotive Regulation (Regulation),
11 California Code of Regulations, title 13, Chapter 9, Article 8, Sections 2478 through
12 2478.17;

13 WHEREAS, on November 7, 2023, CARB submitted the Regulation to the U.S.
14 Environmental Protection Agency (EPA) seeking authorization of the Regulation
15 pursuant to Section 209(e)(2)(A) of the Clean Air Act;

16 WHEREAS on September 30, 2024 (ECF 77), the Court granted summary
17 judgment to Defendants as to Plaintiffs' challenges to the Regulation's Idling
18 Requirements found in sections 2478.9(a), (b), (c)(1), (d), and (e) on the basis of
19 standing; found that Plaintiffs have standing to challenge sections 2478.9(c) and (c)(2);
20 and issued an order staying Plaintiffs' challenge to sections 2478.9(c) and (c)(2),
21 2478.11, and 2478.12 pending a decision from the EPA on CARB's Section 209(e)(2)(A)
22 authorization request;

23 WHEREAS, on January 13, 2025, CARB withdrew its authorization request to EPA;

24 WHEREAS, on April 16, 2025 (ECF 86), the Parties filed a stipulation and request
25 for abeyance providing the parties' agreement to voluntarily dismiss this action upon
26

27 ¹ Chair Lauren Sanchez, whose term began October 1, 2025, succeeded former
28 Chair Liane Randolph. Chair Sanchez is therefore automatically substituted for former
Chair Randolph. Fed. R. Civ. P. 25(d).

CARB's repeal of the Regulation and approval by California's Office of Administrative Law (OAL) within 15 days of when the rescission becomes effective;

WHEREAS, on April 18, 2025 (ECF 87), this Court granted the Parties' stipulation and request for abeyance;

WHEREAS, CARB proposed to repeal the Regulation with an Initial Statement of Reasons published on April 29, 2025;

WHEREAS, on June 26, 2025 CARB approved the repeal of the Regulation;

WHEREAS, on September 12, 2025 CARB submitted the repeal of the Regulation to OAL for approval;

WHEREAS, on October 24, 2025, OAL approved the repeal of the Regulation;

WHEREAS, by operation of state law, repeal of the Regulation became effective January 1, 2026, resulting in rescission of the Regulation.

STIPULATION OF DISMISSAL

THEREFORE, IT IS HEREBY STIPULATED among the Parties pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), through their respective counsel as follows:

1. That the above-captioned action is dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii); and
2. That each party bears its own attorneys' fees and costs incurred in connection with the above-captioned action.

IT IS SO ORDERED.

Dated: January 5, 2026

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

Dated: January 5, 2026

By: /s/ Hayes P. Hyde

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